

Exhibit 48:

E.S. Declaration

DECLARATION OF E.S.

1. I am a current registrant on the Michigan Sex Offender Registry. I have been on the registry since 1998. I am a tier III lifetime registrant. I pled guilty to CSC 3 in 1998, when I was 30 years old. I was sentenced to six months of probation, which I successfully completed. I have had no criminal record since my 1998 conviction.

2. When I was convicted, I was told I would be on the registry for 25 years. I have now been on the registry for 25 years and would have come off this year if my registration period had not been extended. Being switched to lifetime registration has been devastating to me. I am now marked forever. Before, I was motivated because I thought that after 25 years I would be removed from the list; there was a light at the end of the tunnel. But, knowing I will have to register for the rest of my life has left me feeling hopeless. Not a day goes by that I don't worry about my reporting duties, private or public harassment, and the threat of going to jail if I am not perfectly compliant – which is impossible with a law as complex and all-encompassing as the registry.

3. Had I known that my term would change to lifetime registration, I would not have pled guilty. When I pled guilty, I was aware of the requirement to register for 25 years and was prepared to endure that. But with lifetime registration, I no longer have a chance to rise above. I will always be judged and compelled to explain whenever I do anything – even when my crime is 40 or 50 years old. It is scary, frustrating,

and depressing. Going to lifetime registration has changed me as a person. It seems unfair for me to have essentially been resentenced to life (by getting a letter in the mail) – for a crime for which I was never sentenced to jail or prison.

4. I have been fired twice because I am on the registry. The first time this happened was around early 2008. I was a sales engineer for an engineering company in Lansing where I had worked for over three-and-a-half years at the time. I was hired there without an application, so I did not need to complete a background check. While I worked there, someone called the company and had a conversation with the owner about me. I was called into a meeting with the owner and company attorney where I was fired immediately. They told me I was fired because I showed up on the registry. The second time this happened was the same as the first and happened just after. Someone called claiming I was a “child molester.” I was let go shortly after.

5. The registry made it hard to find a job. Before landing my current job, I was repeatedly turned down for job positions because I am on the registry. I once interviewed for a hydraulic company that offered really good pay and benefits. I made it through 2-3 rounds of interviews – which means they almost surely knew of my conviction – before being called and told that I could not continue due to my registry status. Their attitude was that if I was a lifetime registrant then I must be a life-time danger to society. This has happened several times.

6. Being on the registry limits the types of jobs I can even consider pursuing. In 2012 I earned a Master's Degree in Business Administration, but despite this I cannot find a job that fits my skills and experience. Once a potential employer finds out that I am on the registry, they tell me they are concerned about customers finding out and ultimately, they reject me. Right now, I work as an outside sales rep for an industrial supply company where I have been for the last 13 years. Although I have had no issues here so far, every time I get a call from management my first thought is that I am about to be fired again.

7. I have had to deal with harassment because I am on the registry. My home has been egged (and rocked) multiple times, usually in the middle of the night. I have dealt with harassing phone calls from someone impersonating police officers from my county claiming there was a bench warrant out for my arrest for not submitting my DNA "in a timely fashion." The first time this happened, I was scared to death. The person was very convincing, and I felt stupid and afraid because I did not want to go to prison. I only discovered the scam after getting real police involved who confirmed there was no warrant but also nothing they could do about the calls. It's terrifying knowing my information is on the registry for anyone to do whatever they want with it.

8. Being on the registry has also caused conflict in my personal life. At one point, while dating my now ex-wife, there was an altercation with her ex-husband after he

found me on the registry. He showed up at my home, demanded my wife leave me, threatened to take away her children, and threatened to call the police. I had no issues with him prior to him finding me on the registry. While my ex-wife and I were married for 16 years without further issue, we dealt with steady verbal and physical threats from her ex-husband while we were married.

9. Being on the registry has fractured my life in ways I couldn't have imagined. I avoid my neighbors because most avoid me. I do not go to neighborhood block parties. I am limited in the activities I can do daily and in my ability to travel. I consider myself computer-savvy, but I do not use social media in any way because I do not want to open myself up to online harrassment. I don't go hunting with my brothers because traveling out of state puts a burden on them because of me. I also don't own a gun or even hold a permit for one, because every interaction with law enforcement is fraught with danger if you are on the registry. I do not go camping out of state because I am afraid if I get pulled over by an officer who then finds out I'm on the Michigan registry, I may be arrested for not first getting the permission of local police to come into their state. This might be silly, but it scares me, and finding out the requirements in multiple states – let alone in Michigan – is a nearly impossible task, with the risk of jail or prison if you get it wrong.

10. I was a longtime member of the YMCA of Grand Rapids where I played racquetball with friends several times a week. After over eight years of membership,

however, I went in one day and was told my membership was no longer valid. It was not my conviction, but my being on the registry, that made me ineligible for membership. Just like with work, their view was that if the state held me out as dangerous, then they had a duty to protect the rest of their members.

11. Being on the registry is worse than being on probation. I feel I'm constantly looked at negatively and have a dark cloud hanging over me. Naturally people think the worst of me. While I was on probation, I wore a tether with a 10:00 p.m. curfew, but I could conceal it. I was on call for my probation agent, but no one else knew about that and there were no website trumpeting that I was "on probation." My probation conditions were somewhat different from my reporting requirements, but being on the registry has a worse impact on my life because what I report is on display for the world to see and ridicule. My probation also ended after six months.

12. I have also had to deal with police supervision due to being on the registry. I have had law enforcement stop at my home and check on me. Usually, they pull in and ask me to come outside to show them my license. This would happen at least once a year, though it has not happened in the past three years, since COVID-19. When they would come, it was very embarrassing and put me in a state of fear and depression. A neighbor might ask why the police stopped at my house; it made me feel guilty even though I had not done anything.

13. The requirements I have to follow are so demanding that I feel like I am set

up to fail. I only have three days to report a change in my job, car, phone number, and some other things. I am constantly concerned about something coming up that prevents me from reporting, such was the case in 2012 when I went to the sheriff's office on a Monday during normal business hours to report but the office was closed. Because of this, I was not able to report within my 15-day time limit. I went back to report the next day, but was told that, even though the station was closed, I had failed to report and was therefore in violation. They arrested me. Although the prosecutor ultimately decided not to charge me for that violation, I was still labeled non-compliant and had to pay fees.

14. This situation, and the constant trips to court to resolve it, caused issues in my first marriage. At the same time that I was dealing with the SORA violation, my oldest sister was diagnosed with terminal breast cancer. Dealing with the registry situation, and marital issues, on top of taking care of my family, was a very hard time in my life. Since divorcing, I've gotten married again to my current wife who I live with in a house I have owned for the past ten years.

15. On top of what I am required to report, I have to go report every three months. It is the most degrading thing I have to do. When I go to the sheriff's department, I look for familiar vehicles that I might recognize in the parking lot. I sneak in as best I can and scan the lobby for people that I may know or customers I work with because it is absolutely humiliating.

16. I do not really understand all of the reporting requirements and demands. They are very detailed and difficult to remember. There are things I am not sure if I have to report, like my divorce. I once bought a travel trailer and rushed to the police station so I could report it. The officers were unsure if I needed to report it and eventually told me not to. I was humiliated and embarrassed, but I did not want to be in violation of SORA. I tend to overreport information because I am scared that I am going to miss something.

17. I have asked the clerk at the counter when I register to help me understand some of the requirements, including the Explanation of Duties form. But the clerks, who are sometimes interns or trainees, do not understand either and do not have an answer for me. The EOD form is very complicated and full of confusing legal jargon. There is no way to memorize what is being asked of me.

18. I live in a state of depression. I live in fear. I made a mistake, and I owned it. I am not a dangerous person. I attend church three times a week and always have. I feel like I've been pushed into some horrible dangerous animal cage and left alone to deal with life.

I certify under penalty of perjury that the above statement is true and correct pursuant to 28 U.S.C. § 1746.

E.S.
(name on file with Plaintiffs' counsel)

Dated: March 11, 2023